

September 20, 2013

REGULAR MEETING AGENDA
ILLINOIS CIVIL SERVICE COMMISSION
September 20, 2013

I. CALL TO ORDER THE REGULAR OPEN MEETING AT 10:30 A.M. AT 160 NORTH LASALLE STREET, SUITE S-901, CHICAGO, ILLINOIS

II. PRESENT

III. APPROVAL OF MINUTES OF REGULAR OPEN MEETING HELD AUGUST 16, 2013

WILL THE COMMISSION APPROVE THE MINUTES OF THE REGULAR OPEN MEETING HELD ON AUGUST 16, 2013?

IV. PUBLIC COMMENT IN ACCORDANCE WITH THE OPEN MEETINGS ACT

MEMBERS OF THE PUBLIC ARE OFFERED AN OPPORTUNITY TO ADDRESS MEMBERS OF THE COMMISSION IN ACCORDANCE WITH THE OPEN MEETINGS ACT AND RULES OF THE CIVIL SERVICE COMMISSION.

V. EXEMPTIONS UNDER SECTION 4d(3) OF THE PERSONNEL CODE

A. Report on Exempt Positions from Central Management Services

<u>Agency</u>	<u>Total Employees</u>	<u>Number of Exempt Positions</u>
Aging.....	143.....	16
Agriculture	353.....	16
Arts Council	17.....	2
Capitol Development Board.....	46.....	0
Central Management Services.....	1,476.....	114
Children and Family Services	2,727.....	51
Civil Service Commission.....	4.....	0
Commerce & Economic Opportunity.....	377.....	69
Commerce Commission	74.....	0
Corrections	11,148.....	103
Criminal Justice Authority	56.....	5
Deaf and Hard of Hearing Comm.....	7.....	1
Developmental Disabilities Council.....	8.....	1
Emergency Management Agency.....	86.....	5
Employment Security	1,458.....	30
Environmental Protection Agency.....	805.....	17
Financial & Professional Regulation.....	428.....	44
Gaming Board	142.....	6
Guardianship and Advocacy	102.....	7
Healthcare and Family Services	2,111.....	25
Historic Preservation Agency.....	189.....	14
Human Rights Commission.....	13.....	2
Human Rights Department.....	142.....	9
Human Services	11,336.....	75
Illinois Sentencing Policy Advisory Council.....	2.....	2
Illinois Torture Inquiry Relief Commission	2.....	1
Insurance	220.....	15
Investment Board	3.....	2
Juvenile Justice.....	985.....	23
Labor.....	87.....	11
Labor Relations Board Educational.....	9.....	2
Labor Relations Board State.....	17.....	2
Law Enforcement Training & Standards Bd.	16.....	2
Lottery.....	146.....	7
Military Affairs	121.....	3
Natural Resources	1,084.....	30
Pollution Control Board	20.....	2
Prisoner Review Board.....	16.....	0
Property Tax Appeal Board.....	29.....	1
Public Health.....	1,085.....	41
Racing Board.....	2.....	1
Revenue.....	1,760.....	51
State Fire Marshal	134.....	12
State Police.....	1,100.....	7
State Police Merit Board	5.....	1
State Retirement Systems.....	103.....	2
Transportation	2,203.....	0
Veterans' Affairs	1,294.....	9
Workers' Compensation Commission.....	129.....	9
TOTALS	43,820.....	848

B. Governing Rule – Section 1.142 Jurisdiction B Exemptions

- a) The Civil Service Commission shall exercise its judgment when determining whether a position qualifies for exemption from Jurisdiction B under Section 4d(3) of the Personnel Code. The Commission will consider any or all of the following factors inherent in the position and any other factors deemed relevant to the request for exemption:
 - 1) The amount and scope of principal policy making authority;
 - 2) The amount and scope of principal policy administering authority;
 - 3) The amount of independent authority to represent the agency, board or commission to individuals, legislators, organizations or other agencies relative to programmatic responsibilities;
 - 4) The capability to bind the agency, board or commission to a course of action;
 - 5) The nature of the program for which the position has principal policy responsibility;
 - 6) The placement of the position on the organizational chart of the agency, board or commission;
 - 7) The mission, size and geographical scope of the organizational entity or program within the agency, board or commission to which the position is allocated or detailed.
- b) The Commission may, upon its own action after 30 days notice to the Director of Central Management Services or upon the recommendation of the Director of the Department of Central Management Services, rescind the exemption of any position that no longer meets the requirements for exemption set forth in subsection (a). However, rescission of an exemption shall be approved after the Commission has determined that an adequate level of managerial control exists in exempt status that will insure responsive and accountable administrative control of the programs of the agency, board or commission.
- c) For all positions currently exempt by action of the Commission, the Director of Central Management Services shall inform the Commission promptly in writing of all changes in essential functions, reporting structure, working title, work location, position title, position number or specialized knowledge, skills, abilities, licensure or certification.
- d) Prior to granting an exemption from Jurisdiction B under Section 4d(3) of the Personnel Code, the Commission will notify the incumbent of the position, if any, of its proposed action. The incumbent may appear at the Commission meeting at which action is to be taken and present objections to the exemption request.

(Source: Amended at 34 Ill. Reg. 3485, effective March 3, 2010)

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C. Illinois Department of Human Services – proposed exemption

Position Number	13852-10-19-040-00-02
Position Title	Executive II
Bureau/Division	Legislation
Functional Title	Legislative Liaison
Incumbent	Vacant
Supervisor	Manager, Office of Legislation, who reports to the Secretary
Location	Cook County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

D. Illinois Department of Central Management Services – proposed exemption

Position Number	40070-37-00-000-40-01
Position Title	Senior Public Service Administrator
Bureau/Division	Information Technology
Functional Title	Chief Information Technology Officer
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

E. Illinois Historic Preservation Agency – proposed exemption

Position Number	40070-48-40-000-00-01
Position Title	Senior Public Service Administrator
Bureau/Division	Administration
Functional Title	Policy Advisor
Incumbent	Vacant
Supervisor	Director
Location	Sangamon County

CMS Recommendation: “This position does meet the reporting criteria of the Commission Rules and considering the similarities of this requested position with those of other 4d(3) exempt positions, I recommend 4d(3) exemption.”

WILL THE COMMISSION GRANT THE REQUEST FOR EXEMPTION FROM JURISDICTION B OF THE PERSONNEL CODE FOR THE FOLLOWING POSITIONS?

C: Legislative Liaison (DHS)

D: Chief Information Technology Officer (CMS)

E: Policy Advisor (HPA)

VI. CLASS SPECIFICATIONS

The following class titles were submitted for creation and revision by the Director of the Illinois Department of Central Management Services:

- A. Painter (revise)
Painter Foreman (create)

CMS Classification Analysis: “Executive Order 2003-10 mandated statewide consolidation of facilities management services into the Illinois Department of Central Management Services (CMS) which included Painter titles. In this consolidation, a Painter was transferred from the Illinois Department of Human Services to CMS/Bureau of Property Management (BOPM) that was performing Painter “supervisory” duties and being paid at the Illinois Department of Labor’s (IDOL) Painter Foreman Prevailing Wage Rate (PWR). Since the consolidation, this Painter has been receiving Painter Foreman’s pay at the IDOL’s Prevailing Wage Rate.

In December 2012, CMS/Labor brought to the attention of CMS/BOPM, that unless CMS Class studies has an established title under the jurisdiction of the Personnel Code for Painter Foreman, that an employee should not be receiving PWR Painter Foreman pay, as there isn’t anything in writing to gauge what is considered a higher level duty that would warrant higher level pay.

In December 2012, CMS/BOPM requested that CMS Class Studies develop a new class specification for Painter Foreman, so that the individual in CMS/BOPM currently performing Painter Foreman duties could be properly classified. Also, CMS/BOPM has a need to hire new Painter Foremen to perform working supervisor duties over Painters. In addition to Painter duties, the newly created Painter Foreman class performs working supervisor functions and other higher level functions (e.g., developing plans and estimates for large projects, coordinating job assignments with vendors, approving painter supply order requests).

CMS/BOPM also requested that the Painter title be revised to bring work examples and education/experience requirements up to date (since the class was last updated November 16, 1970), and to better describe work examples.”

B. Pharmacy Manager (create)

CMS Classification Analysis: “Specific positions allocated to the current Senior Public Service Administrator (SPSA), option 8P (Pharmacist license) have been certified by the Labor Relations Board into the RC-063 bargaining unit. Pursuant to an agreement between the State of Illinois and AFSCME, the collective bargaining representatives for the RC-063 unit, these positions will no longer be identified as SPSA, option 8P positions. A successor class title of Pharmacy Manager has been developed for these positions. This class will more accurately describe the work involved in these positions than the current SPSA class specification.

In conjunction with the Illinois Department of Human Services (DHS), the Illinois Department of Central Management Services would like to propose the Pharmacy Manager class specification as a suitable replacement for the Senior Public Service Administrator option 8P class of positions.

The Pharmacy Manager positions are located in the DHS Division of Mental Health & Developmental Disabilities Office of Clinical, Administrative and Program Support. An individual in a position such as this may serve as the manager of:

- a) a facility pharmacy located in a DHS operated mental health or developmental disabilities center or hospital,
- b) a hub pharmacy servicing more than one facility, at least one of which is located off-site,
- c) the Unit Dose Central Drug Procurement, Repackaging and Distribution Center, or
- d) the clinical support programming for all pharmacy facilities within either the Northern region or the Southern region of the state.

These positions serve as working supervisors that schedule, assign and review the work of staff including Pharmacy Technicians, Staff Pharmacists, and Clinical Pharmacists. A Pharmacy Manager serves as the pharmacist-in-charge, which is the licensed pharmacist whose name appears on the pharmacy license and who is ultimately responsible for all aspects of the operation related to the practice of pharmacy at a particular site. The clinical support Pharmacy Manager positions have the additional responsibility of scheduling and evaluating the work of pharmacy students performing clinical rotations at facilities within an assigned region. The Pharmacy Manager develops, implements and reviews the policies and procedures governing the safe use, storage and administration of drugs and medical supplies. The Pharmacy Manager class also performs the full range of pharmacy services: compounding and preparing prescriptions and manufacturing, dispensing, repackaging of pharmaceutical preparations and supplies. The Unit Dose Central Drug Procurement, Repackaging and Distribution Center manager prepares individual doses of patient medications from larger supplies and distributes the labeled packets to the appropriate unit to enhance security controls and reduce the possibility of administration error.”

WILL THE COMMISSION APPROVE THE CREATION AND REVISION OF THE FOLLOWING CLASS TITLES TO BE EFFECTIVE ON OCTOBER 1, 2013?

- A. Painter (revise)**
Painter Foreman (create)

- B. Pharmacy Manager (create)**

WILL THE COMMISSION DISAPPROVE ANY CLASS SPECIFICATIONS RECEIVED BY THE COMMISSION STAFF NOT CONTAINED IN THIS REPORT TO ALLOW ADEQUATE STUDY?

VII. MOTION TO CLOSE A PORTION OF THE MEETING

PURSUANT TO SUBSECTIONS 2(c)(1), 2(c)(4), AND 2(c)(11) OF THE OPEN MEETINGS ACT, WILL THE COMMISSION CLOSE A PORTION OF THE MEETING TO CONSIDER APPEALS FILED WITH THE COMMISSION, LITIGATION AND/OR SPECIFIED EMPLOYMENT MATTERS?

VIII. RECONVENE THE REGULAR OPEN MEETING

IX. NON-MERIT APPOINTMENT REPORT

The Personnel Code permits non-merit appointments for a limited period of time, i.e., emergency appointments shall not exceed 60 days and shall not be renewed, and positions shall not be filled on a temporary or provisional basis for more than six months out of any twelve-month period. Consecutive non-merit appointments are not violative of the Code; however, they do present a possible evasion of merit principles and should be monitored. Set forth below is the number of consecutive non-merit appointments made by each department. These statistics are from the Department of Central Management Services' Consecutive Non-Merit Appointment Reports.

Agency	7/31/13	8/31/13	8/31/12
Aging	1	2	2
Agriculture	2	2	1
Arts Council	1	1	1
Central Management Services	2	2	1
Children and Family Services	10	12	7
Employment Security	0	0	1
Healthcare and Family Services	21	19	7
Historic Preservation Agency	0	11	7
Human Services	1	1	3
Insurance	1	0	0
Natural Resources	0	0	10
Property Tax Appeal Board	3	3	0
Public Health	2	2	0
Revenue	5	5	2
State Police Merit Board	1	1	0
Transportation	0	0	11
Veterans' Affairs	4	5	2
Totals	54	66	55

X. INTERLOCUTORY APPEAL

DA-31-13

Employee	Marie Dismukes	Appeal Date	2/20/13
Agency	Juvenile Justice	Decision Date	9/09/13
Type	Discharge	ALJ	Daniel Stralka
Issue(s)	Motion to Voluntarily Withdraw Charges	Proposal for Decision	Grant the Motion subject to the approval of the Commission

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XI. PUBLICLY ANNOUNCED DECISION RESULTING FROM APPEAL

DA-24-12

Employee	George P. Hardin	Appeal Date	9/27/11
Agency	Human Services	Decision Date	9/06/13
Appeal Type	Discharge	Proposal for Decision	Discharge upheld.
ALJ	Andrew Barris		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XII. APPEAL TERMINATED WITHOUT DECISION ON THE MERITS

DA-3-14

Employee	Ernest E. Lloyd	Appeal Date	08/19/13
Agency	Employment Security	Decision Date	09/11/13
Appeal Type	Discharge	Proposal for Decision	Dismissed subject to approval of the Commission; settled.
ALJ	Daniel Stralka		

DOES THE COMMISSION AFFIRM AND ADOPT THE PROPOSAL FOR DECISION IN THE ABOVE MATTER?

XIII. STAFF REPORT

September 20, 2013

XIV. FY 2013 ANNUAL REPORT

WILL THE COMMISSION APPROVE THE FISCAL YEAR 2013 ANNUAL REPORT?

XV. MEETING SCHEDULE FOR 2014

WILL THE COMMISSION APPROVE THE FOLLOWING AS ITS MEETING SCHEDULE FOR 2014?

January 17, 2014	Springfield	July 18, 2014	Chicago
February 21, 2014	Chicago	August 15, 2014	Chicago
March 21, 2014	Chicago	September 19, 2014	Springfield
April 18, 2014	Chicago	October 17, 2014	Chicago
May 16, 2014	Springfield	November 21, 2014	Chicago
June 20, 2014	Chicago	December 19, 2014	Chicago

XVI. ANNOUNCEMENT OF NEXT REGULAR OPEN MEETING

The next regular open meeting is to be held on Friday, October 18, 2013 at 10:30 a.m. in the Commission's Chicago office.

XVII. MOTION TO ADJOURN